

**Notice of Allowability**

Application No.

09/764,778

Examiner

JAGDISH PATEL

Applicant(s)

SIREAU, JEAN-YVES

Art Unit

3693

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/8/07.
2. ☒ The allowed claim(s) is/are 19-22, 24-28, 30-36 and 50-113.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### **DETAILED ACTION**

1. This communication is in response to amendment filed 1/8/2007.

#### ***Response to Amendment***

2. Claims 19-22, 24-28, 30-36 and 50-113 are pending and have been allowed.

#### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

The claimed inventions relate to a betting system and method for buying and selling of fixed-odds financial bets.

The following prior art references have been deemed most relevant to the allowed claim(s):

WO009804991A1 (MINDES et al.) discloses a data processing system and method that allows a betting "house" to maintain a betting pool on a contest involving two or more contestants by controlling the terms (the betting odds and/or handicaps) for the contestants so that bettors are encouraged to place bets that will bring the betting pool (the "book") into balance. The system and method provides for "hedging" of bets in light of changing betting terms, such that bettors can guarantee profits or minimize losses before the contest is complete. Incoming bets may be placed in a queue before being processed, and their effect on pool balance evaluated before accepting or rejecting the bets. Bets in the queue may be accepted only in matching sets on all of the participating contestants, so as to prevent any imbalance of the betting pool. Alternatively, the bets may be rejected with an indication of the change in betting terms which would be required if the bets are to be accepted. Bets may be placed on the finishing order of the contestants, such that there will be multiple winning bets for a single contest. This system and method can also be used to play games, where the contestants do not incur actual financial obligations.

The prior art of record cited above fails to teach or suggest the following features deemed inventive by the examiner.

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Claims 19-22, 24-28, 30, 35, 52-61 and 66-98:

MINDES et al. fails to teach calculating, at the central processing machine in communication with a data feed data feed to a source of a financial market and a user terminal, fixed-odds price for a bet based on at least one of the parameters received from the user terminal connected and the data obtained from the data feed. MINDES et al is suited to the provision of bets on sporting events, where there is a relatively small number of types of bet that are likely to be placed on an event, and hence an operator of the system can be confident that many speculators will wish to place opposing bets and hence provide an opportunity to balance a betting pool. By contrast, with thousands of different listed securities and a wide range of different types of bet that might be placed with respect to each security (e.g. predicted target price, predicted maturity date etc.), it will be clear that an operator of a system providing bets on aspects of financial markets has little prospect of finding speculators who wish to place

Claims 36, 50 and 51 recite a product which performs the process described above are allowed for the same reasons.

Claims 62-64, 65 and 99-113 recite a system which performs the process described above are allowed for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on **800AM-630PM Mon-Tue and Thu.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **KRAMER JAMES A** can be reached on **(571)272-6783**. The fax phone

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number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3693)

2/12/07